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March 21, 2005

Ms. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40602-0615

RECEVED

MAR 3 2 2005

PUBLIC SERVICE COMMISSION

Re: <u>Joint Application for Approval of Transfer filed by Richmond Utilities, LLC</u>
And B.H., Inc., Case No. 2004-00336

Dear Ms. O'Donnell:

Please find enclosed for filing in the above referenced case, the original and 10 copies of the Motion for Extension of Time to Transfer Wastewater Treatment Plant filed in the above referenced case by Richmond Utilities, LLC. Thank you for your attention to this matter.

Yours truly.

Robert C. Moore

cc: Marty Cogan and Larry Smither

Enclosures RCM/edl

### **COMMONWEALTH OF KENTUCKY**

RECENTED

## BEFORE THE PUBLIC SERVICE COMMISSION

MAR 2 2 2005

In the Matter of:

PUBLIC SERVICE
COMMISSION

JOINT APPLICATION OF B. H., INC. ) Case No. 2004-00336
AND RICHMOND UTILITIES, LLC )
FOR APPROVAL OF THE TRANSFER OF )
WASTEWATER TREATMENT PLANT TO )
RICHMOND UTILITIES, LLC )

# MOTION FOR EXTENSION OF TIME TO TRANSFER WASTEWATER TREATMENT PLANT

Comes Richmond Utilities, LLC, by counsel, and hereby requests the Public Service Commission ("Commission") to grant it an additional thirty (30) days within which to complete the transfer of the Brocklyn Subdivision Wastewater Treatment Plant from B.H., Inc., to Richmond Utilities, LLC. On December 22, 2004, the Commission entered its order approving the Joint Application for approval of the transfer of the subject wastewater treatment plant to Richmond Utilities, LLC. Paragraph 1(f) of the Commission's December 22, 2004, Order stated "the proposed transfer shall occur within 90 days of the date of this order." Paragraph 6 of said Order also required Richmond Utilities, LLC to file a copy of the executed irrevocable letter of credit in the amount of \$20,000 with the Commission within 10 days of the completion of the proposed transfer.

Since the entry of said Order, Richmond Utilities, LLC has been working diligently to obtain the required \$20,000 irrevocable letter of credit, but has been unable to obtain same. Accordingly, the transfer of the subject wastewater treatment plant cannot take place on or before March 22, 2005. Richmond Utilities, LLC is currently working with a financial institution in

Louisville, Kentucky to obtain the issuance of the required irrevocable letter of credit, and should be able to obtain same within thirty (30) days of the date of this Motion. Therefore, Richmond Utilities, LLC hereby requests an extension of time through and until April 22, 2005, within which to obtain said irrevocable letter of credit and to complete the transfer of the Brocklyn Subdivision Wastewater Treatment Plant from B.H., Inc., to Richmond Utilities, LLC.

Respectfully submitted,

Robert C. Moore

Hazelrigg & Cox, LLP

415 West Main Street

P.O. Box 0676

Frankfort, Kentucky 40602-0676

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed by hand delivery on Beth O'Donnell, Executive Director, Public Service Commission, P.O. Box 615, Frankfort, Kentucky 40602, and by first class mail on Jeb Pinney, Public Service Commission, P.O. Box 615, Frankfort, Kentucky 40602, Whitney Dunlap III, Burnam, Thompson, Weldon, Simons and Dunlap, P.S.C., Bank One Building, Suite 2 A, 116 West Main Street, P.O. Box 726, Richmond, Kentucky 40476-0726 and David Edward Spenard, Assistant Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Ky., 40601-8204 on this the 21<sup>st</sup> day of March, 2005.

Robert C Moore